

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

### **Decision by Court.**

**IT IS ORDERED, ADJUDGED, AND DECREED** that the court ADOPTS the conclusions in the M&R [D.E. 19] and DISMISSES the action as frivolous and for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B).

**This Judgment Filed and Entered on January 8, 2024, and Copies To:**

Devon A. Gayles-El (via US Mail to Pasquotank Correctional Institution, 527 Commerce Drive, Elizabeth City, NC 27906)

DATE: January 8, 2024

PETER A. MOORE, JR., CLERK

(By) /s/ Stephanie Mann  
Deputy Clerk